

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

21618
2020

Applicant: Joseph Seamon

Title: METHOD AND SYSTEM FOR CATEGORIZING ITEMS IN BOTH ACTUAL AND VIRTUAL CATEGORIES

Docket No.: 2043.098US1

Filed: December 8, 2000

Examiner: Hanh B. Thai



Serial No.: 09/733,767

Due Date: June 9, 2005

Group Art Unit: 2161

MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ An Amendment and Response (12 pgs).
- ☒ Petition for Extension of Time (1 pg.), including authorization to charge Deposit Account 19-0743 in the amount of \$120.00 to cover the Extension of Time Fee.
- ☒ Examiner Interview Summary (2 pgs.).
- ☒ A return postcard.

Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 49845

By: Mark R. Vatuone

Atty: Mark R. Vatuone

Reg. No. 53,719

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 31 day of May, 2005.

Peter Rebuffoni
Name

Peter Rebuffoni
Signature

S/N 09/733,767

PATENT

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EXAMINER INTERVIEW SUMMARY

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant acknowledges a telephone interview held on May 18, 2005, between Primary Examiner Uyen Le, Examiner Hanh Thai and Applicant's attorney, Mark Vatuone, during which the claims and the cited references were discussed.

Claim 1 was discussed with regard to a rejection under 35 U.S.C. 112, first paragraph, and a rejection under 35 U.S.C. 103(a) as recorded in an Office Action mailed February 9, 2005. In regard to the rejection under on 35 U.S.C.112, first paragraph, the Office Action alleged there was no support for the following limitation:

each category identifier in the first plurality of category identifiers is distinct from each category identifier in the second plurality of category identifiers

Applicant responded by pointing out that the application includes inherent support (MPEP 2163.07A) for the above limitation based on **Figure 6** and paragraph thirty eight, which describes an actual_category field 86 that may contain a category identifier that, by itself, may identify an actual category. The Examiners pointed out that the term "category identifier" may read on a category name. The Examiners agreed to remove the 112 rejection if the above limitation were amended to include the term "category number" in place of the term "category identifier."

In regard to the rejection under 35 U.S.C.103(a) the Office Action alleged that claim 1 was unpatentable over a U.S. Patent No. 6,489,968 (hereinafter Ortega) in view of U.S. Patent No. 6,286,002 (hereinafter Axaopoulos). Specifically, the Office Action alleged that Axaopoulos disclosed two different navigation paths. Applicant responded by pointing out that the above

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identifiers to be distinct from each category identifier in the second plurality of category identifiers. In contrast, Axaopoulos described paths (e.g., path 390 and path 290) within a single inverted taxonomy tree that included some of the same nodes (e.g., path 390 includes root node 200, node 200, multinode 322 and multimode 224; path 290 includes root node 200, node 210 and multimode 224). The Examiners suggested that a limitation that links an actual category to a virtual category may be helpful.

Conclusion

The Examiner is invited to telephone Applicant's attorney at 408-846-8871 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

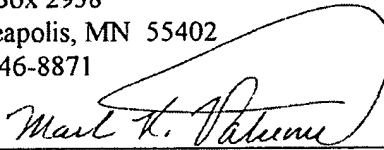
JOSEPH SEAMON

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
408-846-8871

Date 5/31/2005

By

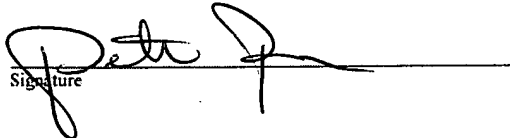


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Peter Rebuffoni

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